

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

RODNEY RIDDLE,

Case No. 1:20-cv-00044

Plaintiff,

Black, J.  
Bowman, M.J.

v.

HAMILTON COUNTY RECORDER, et al.,

Defendants.

**REPORT AND RECOMMENDATION**

Plaintiff, proceeding pro se, paid the requisite filing fee and filed a complaint on January 17, 2020 against the Hamilton County Recorder, Wells Fargo Bank, Judge John Quinn, Summit County Domestic Relations Court, and the Ohio's 9<sup>th</sup> District Court of Appeals. In his complaint, Plaintiff seeks this Court's intervention in what appears to be pending state court litigation relating to his divorce proceedings. Because Plaintiff did not seek to file his complaint without payment of the usual filing fees, his complaint was not subject to screening for frivolousness under 28 U.S.C. § 1915(e)(2)(B).

On January 30, the Summit County Domestic Relations Court moved to dismiss for failure to state a claim and for lack of jurisdiction. On February 13, 2020, the Ohio Court of Appeals also filed a motion to dismiss for lack of jurisdiction. Defendant Judge Quinn next filed a motion to dismiss for failure to state a claim and for lack of jurisdiction on February 17, followed a day later by the Hamilton County Recorder's motion to dismiss. Based upon the undersigned's preliminary review, the undersigned would be

inclined to recommend dismissal of Plaintiff's complaint without the need to await Plaintiff's responses to the pending motions to dismiss, because the complaint appears on its face to be frivolous and this Court lacks subject matter jurisdiction. *See, generally, Apple v. Glenn*, 183 F.3d 477, 479 (6th Cir. 1999). However, on February 18, 2020, Plaintiff filed his own motion seeking to voluntarily dismiss this case under Rule 41. Based upon Plaintiff's pro se status, and in an abundance of caution, the undersigned will recommend granting Plaintiff's motion at this time. *See Davis v. Schneider*, Case No. 1:19-cv-414, 2020 WL 467682 (S.D.Ohio Jan. 29, 2020).

Accordingly, **IT IS RECOMMENDED THAT** Plaintiff's motion to voluntarily dismiss his case (Doc. 11) be **GRANTED** and that Defendants' pending motions (Docs. 5, 9, 10, 12, 13) be **DENIED** as moot and this matter be terminated from the docket of this Court.

s/Stephanie K. Bowman

Stephanie K. Bowman  
United States Magistrate Judge

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

RODNEY RIDDLE,

Plaintiff,

v.

HAMILTON COUNTY RECORDER, et al.,

Defendants.

Case No. 1:20-cv-00044

Black, J.  
Bowman, M.J.

**NOTICE**

Pursuant to Fed. R. Civ. P 72(b), any party may serve and file specific, written objections to this Report and Recommendation (“R&R”) within **FOURTEEN (14) DAYS** of the filing date of this R&R. That period may be extended further by the Court on timely motion by either side for an extension of time. All objections shall specify the portion(s) of the R&R objected to, and shall be accompanied by a memorandum of law in support of the objections. A party shall respond to an opponent’s objections within **FOURTEEN (14) DAYS** after being served with a copy of those objections. Failure to make objections in accordance with this procedure may forfeit rights on appeal. See *Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).